

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2 and 3 are requested to be canceled without prejudice or disclaimer.

Claims 1 and 6 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1 and 4-6 are presently pending for consideration in this application.

It is respectfully requested that this after-final amendment and reply be entered and considered since it places the claims in condition for allowance and raises no new issues.

Applicant acknowledges with appreciation the indication in the Office Action that claim 6 contains allowable subject matter and would be allowable if rewritten in independent form. Claim 6 has been amended to depend from claim 1. In view of the allowability of independent claim 1, Applicant respectfully submits that claim 6 is allowable in its amended form.

In the Office Action, claims 1-5 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Tategami et al. (U.S. Patent No. 5,033,540). In view of the amendments to claim 1, the cancellation of claims 2 and 3, and the remarks contained herein, Applicant respectfully traverses this rejection.

Independent claim 1 has been amended to include the subject matter of cancelled claims 2 and 3. Amended claim 1, therefore, recites the feature of the present invention that the first louvers 25 and the second louvers 35 are oriented in opposite directions (see, e.g., Figure 6 of the present specification). With this unique feature, as long as the first and second corrugated strips 23

and 33 are attached with each other, the second corrugated strip 33 prevents the first corrugated strip 23 from curling in one direction while the first corrugated strip 23 prevents the second corrugated strip 33 from curling in the other direction (see page 12, line 18 to page 13, line 10 of the present specification). This feature, as recited in amended claim 1 is not disclosed, taught or suggested by Tategami et al. For at least this reason, the rejection under 35 U.S.C. § 102(b) should be reconsidered and withdrawn.

In addition, the claimed invention includes a breakable bridge member for attaching the first corrugated strip and the straightening member together and allowing for detachment of the same. Claim 1 recites, in pertinent part, "a first bridge member for attaching said first corrugated strip and said straightening member together such that a detachment of said straightening member from said first corrugated strip is allowed by breaking said first bridge member after said first corrugated strip is fixed between first and second adjacent tubes of said heat exchanger in a production of said heat exchanger." This feature is not disclosed, taught or suggested by Tategami et al.

Applicant agrees with the assertion in the Office Action that Tategami et al. contains no disclosure teaching or suggestion that portions formed by notches 2 are severable. The Office Action, however, alleges that such failing of the reference is immaterial to the position taken in the Office Action that the thermal connections of Tategami et al. "clearly read on the claimed bridge members." Applicant respectfully disagrees and submits that the thermal connections of Tategami et al. do not read on the claimed bridge members and that the disclosure in Tategami et al. is materially significant on this point. A fair review of column 3, lines 29-43 illustrates that the key to the Tategami et al. invention is the unification of two heat exchangers. The reference, therefore, teaches away from detaching or allowing detachment of the heat exchangers. The portions formed by notches 2, as cited by the Office Action, are used to unite the two heat exchanges and do not have the purpose, design or function of the breakable bridge members of the present invention. For at least this

additional reason, claim 1 and the claims depending therefrom are patentable over Tategami et al.


Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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